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Federal Communications Commission
Office of the Secretary

(818) 892-8078

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Secretary,
Federal Communications Commission
Washington, D.C. 20554

Transmitted herewith, on behalf of the 220 Mhz. Spectrum Management Association of Southern California, are the original and five copies of COMMENTS OF 220 MHZ. SPECTRUM MANAGEMENT ASSOCIATION OF SOUTHERN CALIFORNIA, RM-7869, for filing with the Commission.

If there are any questions, please communicate with the undersigned, at the address and telephone number indicated. Thank you.

Sincerely,


CHARLES J. ZABILSKI

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DEC 19 1991

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

Federal Communications Commission
Office of the Secretary

In the Matter of:

Amendment of Part 97 of the)
Commission's Rules Governing the)
Amateur Radio Services Regarding)
Repeater and Auxiliary Operation)
in the 1.25 Meter Band.)
_____)

RM-7869

COMMENTS OF
220 MHZ SPECTRUM MANAGEMENT ASSOCIATION

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The SMA is a non-profit association of amateur radio operators in southern California, dedicated to fostering interest and improving the state-of-the-art communications in the 1.25 meter (222 - 225 Mhz) amateur band. These goals are accomplished primarily through the SMA's activities in coordinating and sanctioning the use of frequencies for repeater operation and auxiliary operation, including stations operated by remote control (remote bases), all of which uses are hereinafter collectively referred to as "systems". Coordination and sanctioning of such systems for operation on particular frequencies is performed by the eight member Frequency Coordination Board of the SMA.

BACKGROUND.

The American Radio Relay League, Incorporated, ("League"), has filed a Petition for Rule Making, RM-7869, in which the League seeks a rule creating a subband in the 222.000 - 222.150 Mhz segment of the 222 - 225 Mhz band for narrowband, weak-signal operation and other non-repeater operation². As the basis for its request, the League cites: (1) the reduction of the amateur allocation in the 220 Mhz band from five megahertz to three resulting from the Commission's reallocation³ of 220 - 222 Mhz; (2) the existence of protected subbands in the six meter (50 - 54 Mhz), two meter (144 - 148 Mhz), and 70 centimeter (420 - 450 Mhz) bands; and (3) the increased need to protect weak-signal operation.⁴

The League does note that repeater operators have suffered from the loss of 220 - 222 Mhz, particularly in the southern California area, however

repeaters elsewhere in the band or, in the alternative, for these stations "to go off the air", an action the League characterizes as "bear[ing] a small share of the loss".⁵ Whether a repeater operator forced to "go off the air" would characterize this as a small share of the burden is certainly open to discussion.

THE PROPOSED AMENDMENTS ARE UNNECESSARY AND INAPPROPRIATE.

The League specifically proposes amending Sections 97.201(b) and 97.205(b) of the Commission's rules by proscribing operation in the 222.000 - 222.150 Mhz band by repeaters and auxiliary stations.

The SMA has coordinated repeater and auxiliary operation within this subband as it had done in the 220 - 222 Mhz band before the Commission's reallocation of that segment. At the SMA's special meeting held June 1, 1991, the present band plan was adopted by the majority of the members present. There was no articulated "increased need to protect weak-signal operation" or other objection presented by any League official or member to the SMA's plan as approved. In fact, no input was offered to the SMA by any League official before, during, or after the adoption of the SMA's band plan.

The fact that the SMA's band plan differs from that promulgated by the League is not a recent nor abnormal occurrence, as the SMA has noted differences in League band plans in previous filings with the Commission.⁶ These differences arise because the League seeks to set forth general policy guidelines, whereas the SMA is directed, *inter alia*, to "recommend, coordinate and sanction frequencies for simplex, repeaters, remote bases, auxiliary links, control channels, and other needs",⁷ and towards that

5. *Id.*

6. See Comments of the SMA, PR Docket No. 85-22, at 16.

7. Art. II(c), 220 Mhz. Spectrum Management Association of Southern California Constitution.

end must be governed more by local conditions and problems than by general policy considerations. Indeed, even the League has agreed that the band plans of local coordinating groups should prevail over the League's band plan when it stated:

"The ARRL supports regional frequency coordination efforts by amateur groups. Band plans published in the ARRL *Repeater Directory* are recommendations based on a consensus as to good amateur operating practice on a nationwide basis. In some cases, however, local conditions may dictate a variation from the national band plan. In these cases, the written determination of the regional frequency coordinating body shall prevail and be considered good amateur operating practice in that region." (*The ARRL Repeater Directory, 1991-92 Edition*, at 26).

The League's Petition in the instant proceeding contradicts the League's frequently published and long held policy stated above.

The Commission's previously articulated position does not favor the creation of a subband. As to uniform band plans, the Commission in its *Report and Order* for PR Docket No. 85-22, stated:

"We will not adopt rules to formulate national band plans or to require them. As a general proposition, we favor voluntary band plans over Commission-Imposed subbands in the Amateur service. Rule mandated band plans may result in inflexibility, increased enforcement burdens and greater regulatory burdens." (*Report and Order*, PR Docket No. 85-22, at 8).

All of the factors which the Commission had concluded militated against the imposition of rules creating subbands hold true today. Inflexibility would inevitably result from adoption of the League's proposal. In many areas of the country, severe over utilization of the 222 Mhz band is not occurring, and the local and voluntary reservation of 150 Khz or even 500 Khz of the band for weak-signal use would have no practical impact on the remaining portion of the band. Such is not the case in southern California. Local coordinating

groups require flexibility in order to perform coordination duties in an efficient manner. Considerations of competing uses such as FM simplex and packet, utilize a significant portion of the 222 - 225 Mhz band. Even the required 1.6 Mhz split between repeater inputs and outputs results in a maximum yield of only 1.58 Mhz of repeater channels or 79 channels (at 20 Khz spacing), without any allowance for competing uses. Flexibility is what the SMA, and other local coordinating groups, require in its coordination duties and this flexibility would suffer a severe blow if the Commission adopts the League's proposal.

In a period of deregulation, sufficient cause does not exist to undertake more regulation. In addition, the Commission's position in its *Report and Order*, PR Docket No. 85-22,⁸ disfavors the regulation of subbands. This is correctly stated and should be followed in the instant proceeding.

**THE PROPOSED AMENDMENTS WOULD RESULT IN
IRREPARABLE HARM TO REPEATERS OPERATING WITHIN THE
SUBBAND.**

As stated *supra*, the SMA has been coordinating repeaters within the 222.000 - 222.150 Mhz subband for many years and not as a recent response to the Commission's reallocation of the lower portion of the band. Many of these systems have occupied the frequency for years and have a large constituent user group. Although the League may believe that the answer to its perceived "weak-signal crisis" is for repeaters to relocate or "go off the air",⁹ neither the SMA nor the affected repeater owners or users share this view. The SMA herein states that few, if any, of the repeaters displaced by

8. *Report and Order*, PR Docket No. 85-22, at 8.

9. See the League's Petition for Rule Making, RM-7869, at 5.

the League's proposal would be able to relocate and most would have to "go off the air".¹⁰

According to SMA records, the following repeaters listed by call sign and frequency would be adversely affected by adoption of the League's proposal.

Table 1.
Southern California Repeaters and Auxiliary
Stations Operating within 222.00 - 222.15 Mhz.

Station	Input Frequency (Mhz)
WB6WUI	222.02
W6GNS	222.02
KA6DMH - Johnstone Peak	222.04
KA6DMH - Seal Beach	222.04
K6RCL	222.06
W6FXN	222.06
WB6TPG	222.08
N6PVK	222.08
W8TTO	222.10
WD6EZI	222.10
N6AXA	222.10
KK6KU	222.10
WA6IBY	222.12
W6GAA	222.14
WA6ZRC	222.14
W6VL	222.14

10. *Id.*

As stated *supra*, it is extremely unlikely that any but a small fraction would be successfully relocated within the 222 - 225 Mhz band. The recent reallocation of the lower 2 Mhz of the band has displaced in excess of one-hundred repeaters and auxiliary stations. The SMA's work in relocating those systems is largely incomplete due to the lack of available spectrum.

The League considers it equitable and a small share of the burden to be borne, that sixteen repeaters "go off the air"¹¹ failing their relocation. The SMA views the harm caused to these repeaters in particular, and the harm to its continuing coordination efforts in general, to be irreparable. The League's superficial analysis, of the magnitude of the burden to be borne by these repeater owners and users, is unacceptable to the SMA, who must deal with the consequences should the League's proposal be adopted.

CONCLUSION.

The SMA considers the League's proposal, requesting that the Commission create a 150 Khz subband for weak-signal use, as unnecessary and inappropriate in view of the contradiction of this proposal with the League's long standing and often published policy of recognizing that the band plans adopted by regional frequency coordinating bodies shall prevail over those of the League. The Commission correctly and prudently declined¹² the invitation to mandate, by rule, the creation of subbands, instead favoring voluntary band plans. The same result should follow in the instant proceeding, especially where the League has failed to make any effort whatsoever at resolving its concerns over the weak-signal spectrum with the

11. *Id.*

12. *Report and Order*, PR Docket No. 85-22, at 8.

SMA but instead has invoked the rule making process to address these uncommunicated concerns.

The League's characterization of the harm that would result from adoption of its proposal is superficial and flawed, and for that reason unacceptable to the SMA.

While the SMA does not object to the local amateur community reserving 150 Khz or even 1.5 Mhz for weak-signal as a voluntary matter, the SMA does not believe that the creation of a weak-signal subband should be addressed by the Commission in the rule making process, given the inherent lack of flexibility and increased regulatory burden that would result from such rule making. The Commission recognized these problems and averted them in its *Report and Order*.¹³

For the reasons stated above, the SMA requests that the Commission **not** adopt the proposed amendments to rules governing the Amateur Radio Service in the 1.25 meter band.

Respectfully submitted,

220 Mhz. Spectrum Management
Association of Southern California

By: Charles J. Zabilski
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Dated: December 17, 1991

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¹³. *Id.*